

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION


PAUL LOEBE, II,)	
)	
Plaintiff,)	
)	
vs.)	No. 1:15-cv-00903-TWP-MJD
)	
BRIAN G. KOLFAGE, JR. also known as)	
SENIOR AIRMAN BRIAN KOLFAGE,)	
ASHLEY KOLFAGE,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION

On October 27, 2015, the undersigned Magistrate Judge ordered Plaintiff to properly serve Defendants Brian Kolfage, Jr. and Ashley Kolfage by December 1, 2015 and file proof of such service with the Court. [Dkt. 35.] If Plaintiff failed to file proof of service by December 1, 2015, the Court ordered him to show cause on or before December 4, 2015 as to why this action should not be dismissed for failure to timely serve process in compliance with Federal Rule of Civil Procedure 4(m). [*Id.*] Plaintiff failed to either file proof of service or file any response to the order to show cause. Consequently, the Magistrate Judge recommends the case be dismissed without prejudice as to the remaining Defendants, Brian Kolfage, Jr. and Ashley Kolfage, pursuant to Federal Rule of Civil Procedure 4(m). Any objections to the Magistrate Judge's Report and Recommendation shall be filed with the Clerk in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b), and failure to timely file objections within

fourteen days after service shall constitute a waiver of subsequent review absent a showing of good cause for such failure.

Dated: 05 JAN 2016

A handwritten signature in black ink, appearing to read "Mark J. Dinsmore", written over a horizontal line.

Mark J. Dinsmore
United States Magistrate Judge
Southern District of Indiana

Distribution:

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